

Council of State Administrators of Vocational Rehabilitation
Comments on the Interim Report
of the
Advisory Committee on Increasing Competitive Integrated Employment for
Individuals with Disabilities

The CSAVR would like to thank the Committee for its great work in identifying issues, barriers to employment and problems that exist in trying to align state and federal policies, funding sources and data to increase competitive integrated employment for people with disabilities. CSAVR would like to recommend that the Committee expand on the final report by providing more in depth examples and recommendations of how these issues and barriers could be addressed, noting the lead agency/agencies with primary responsibility to address them. While some recommendations were offered, they did not often identify a lead agency or a timeline to address a difficult issue.

Throughout several areas of the report the Committee speaks of professional supports and incentives which examine qualifications and competencies needed by all professionals across systems to deliver quality services, including transition from school to careers services.

It was refreshing to see the Committee acknowledge the importance of having qualified staff throughout all areas of the service delivery system and how important they are to assisting individuals with disabilities to achieve competitive integrated employment. Following are two quotes from the report related to qualifications for personnel.

“Designated state VR and I/DD agencies should develop state/local standards or adopt national standards of professional competence in providing services leading to CIE.”

It is unfortunate that this report could not have preceded the reauthorization of WIOA as it could have been a catalyst for preventing the dilution of qualification standards for rehabilitation professionals. CSAVR is extremely appreciative of the draft regulations on Title IV of WIOA which emphasize the importance of certain competencies and skill sets, recommended by the CSAVR, that successfully support the competitive integrated employment of people with disabilities, including career planning and work with employers.

A quote from the report:

“ ED, RSA, and DOL must promote and fund pre-service and in-service training for professionals and paraprofessionals across the systems that focuses on building high expectations related to CIE and evidence-based practices to

include family engagement strategies, use of labor market information, an understanding of career counseling and pathways, availability of CIE services, person-centered employment services, and employer/business relations.”

CSAVR recommends the addition of employer/business relations and supports the recommendations made by the Marketplace Dynamics Subcommittee for DOL, ED, and HHS to develop national training requirements for employment specialist and others serving business.

CSAVR would also recommend the Committee note support for training individuals to be organizational leaders, program managers and professional employment staff.

Below is another quote from the report that CSAVR highly supports, related to transition services with the exception of the first sentence, for which we are requesting more clarity and/or data that supports this comment.

“There is a wide variation in state VR transition statistics suggesting VR could improve its services for transition-age youth.

CSAVR strongly supports this recommendation - “Specific standards and guidelines for VR agencies and staff serving youth between 16 and 24 could be developed and adopted. In addition, systems could encourage and possibly provide incentives for VR and school systems staff to coordinate early in a youth’s educational career.”

This recommendation also supports CSAVR’s advocacy for performance standards related to the provision of services to transition youth. These youth may not have employment outcomes in their immediate future, but require the time of significant numbers of staff and fiscal resources to provide the services that set the foundation for post secondary education or employment when they leave secondary education.

“Recommendations of Concern to the CSAVR

RSA, in implementing WIOA, should:

“Clarify that youth with disabilities must first apply for VR services and, if eligible, work toward a CIE goal, which can include supported employment for a “reasonable” period of time. A “reasonable” period of time should be at least 24 months, regardless of whether the youth has a supported

employment IPE or a regular IPE; and ...

CSAVR does not support the recommendation to define a “reasonable period of time to be at least 24 month,” as this takes away from the individualized service approach, based on the needs of the VR consumer. Not every consumer will need 24 months of SE. This could be significant waste of staff time and fiscal resources that could be put to better use elsewhere and is a disincentive to the initial pursuit of quality services and the most appropriate employment goal for the individual.

CSAVR is also concerned with the Committee’s interpretation of SE below.

“Clarify that extending the time limit of Supported Employment Services from 18 to 24 months refers to *ongoing support services* provided *after* a person has been successfully placed in a job that meets the WIOA definition of Supported Employment. This is consistent with the definition of Supported Employment Services in WIOA.”

CSAVR does not believe this is Congressional intent or what the disability community supported in increasing the time line for supported employment from 18-24 months. This increase was intended as the amount of “up front” services VR could provide before transitioning to long term services and supports.” We respectfully request that the Committee to review this recommendation/interpretation and if necessary seek clarification from HELP Committee or Education & Workforce Committee staff related to congressional intent of this provision.

“ ED should direct state education and VR agencies to include blueprints for designing and implementing local working agreements in existing state inter-agency agreements. The local agreements should identify how much VR and school financial support is available to implement best practice transition programs that include integrated work experience after age 18 through internships, apprenticeships and similar experiences. These strategies will help students leave transition programs with a job, a solid portfolio of work, and/or an effective plan for additional education leading to a job. State education and rehabilitation agencies should report results of state

and local efforts to ED.”

Not sure if the committee intends another set-aside of funding here, but unsure of how to accomplish this, based on individualized approach to services, unless there is a set aside for this kind of activity.

CSAVR also requests that the Committee reconsider the recommendations below – and revise them to be a joint venture between DOL and RSA not just DOL. As a leader in disability employment, RSA should not be excluded from this recommendation.

“ DOL should lead an effort to engage the business community as a major stakeholder in the employment of persons with disabilities. As partners, the business community can provide on-site resources such as options for employment and advice on best practice marketing of employment. They can provide business-to-business leadership in presenting the case for employing, retaining and promoting persons with significant disabilities.”

The CSAVR agrees with this recommendation and would like to see RSA/DOE be the lead in this area. It is more than just marketing to business, but the upfront work and understanding of disability employment that will help break down barriers and result not only in recruitment but hiring, promotion and retention of employees with disabilities.

Page 36 of the report references WIOA but fails to acknowledge that the Rehabilitation Act is also a stand-alone piece of legislation.

SSI/SSDI - how can we better support the transition from SSI/SSDI to work? Is there an opportunity to retain medical benefits and supports even while reducing cash benefits?

Definition of Most Significant Disability is currently based on a medical diagnosis not vocational (barrier to employment). The CSAVR would support a shift to a vocational definition, as physicians don't understand the implications in the workplace.

Chapter 4 “Marketplace Dynamics

This section tends to focus only on people who are born with a disability; it doesn’t address those who acquire significant disabilities later in life.

Getting a job should not be the only measure, focus on careers, but also look at how advanced work with business and preparation of individuals based on the match to the employment need. It cannot be a one- way approach.

This assumes that there are set approaches to ICE but it is really based on the situation of the individual and the relationship with the business. CSAVR would caution against making these assumptions.

Low expectations are an issue for society in general, and attitudinal barriers continue to be significant. Low expectations start at an early age - what are we doing for parents and families, Teachers or other key support personnel? Rehab staff? One-Stop staff? Business? The individual? Medical personnel? Whenever the disabilities occur – how do we address the issues around labels and the perception of worse case scenario? This is really a bigger issue.

On Page 27 the Transition to Careers subcommittee report recommends among other things that RSA should analyze policies and practices that act as barriers for youth accessing VR early. CSAVR supports this recommendation.

On Page 40 the Complexity and Needs subcommittee asserts that for employment programs funded by VR a CRP is often the “employer”. CSAVR is concerned that this may not be an accurate statement across the national program and is respectfully requesting the Committee to either include data that supports this to be a true statement or offer more clarification as to why this statement is included.

The report further asserts that it is the CRP that in VR determines if an individual is capable of engaging in competitive employment. CSAVR strongly disagrees with this statement as per the VR eligibility criteria it is the VR counselor who makes the determination of the

ability to achieve a competitive employment outcome. Based on the subcommittee's belief that the CRP makes this recommendation, on Page 46 they recommend that RSA should develop conflict of interest policies requiring that a persons' capacity for CIE be made by an entity separate from the CRP serving the individual. Again, the CSAVR strongly disagrees with subcommittee's initial statement, as this decision is the VR counselor's.

The Marketplace Dynamics subcommittee in their recommendations on pages 64 and 65 recommend ideas for improving access to and availability of public transportation. CSAVR strongly supports this recommendation, as in surveys we have encountered related to barriers to employment among individuals with disabilities transportation issues always rank in the top three. CSAVR complements the Committee on this recommendation.

The Complexity and Needs subcommittee in its recommendations on Page 44 discusses the need to address disincentives to SS beneficiaries to employment such as loss of health care and cash benefits but absent from the report is any recommendations related to offering applicants for SSI and DI the informed choice of pursuing returning to work through VR, as opposed to benefits. CSAVR would ask the Committee to address this aspect of returning to work.

Finally, the report addresses significant data gathering and CSAVR is concerned with whether or not what is being recommended will increase the administrative burden of data gathering or give VR counselors and others more time to focus on serving customers and increasing integrated competitive employment outcomes.

The CSAVR thanks the Committee for the opportunity to submit written comments. If there are any questions related to our comments, please contact rmartin@rehabnetwork.org or by phone at 240-994-8439.